IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 13543 of 2003

Between:

P. Nagamani,W/o.Venkateswara Rao
R/o. Visakhapatnam Dist.

..... PETITIONER

AND

1 A.P. State Financial Corporation rep by its Chairman & Managing Director, Chirang Ali Lane, Abids, Hyderabad.
2 The Branch Manager A.P. State Financial Corporation
Eluru Branch, at Narasimharaopet, Eluru - 534 006.
W.G. Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in issuing Auction Notification publishing in Eenadu Daily on 3-7-2003 in respect of 'Items 8 a and b' as arbitrary, illegal and against the principles of natural justice and consequently direct the respondents to furnish all particulars with regard to the outstanding amount to the petitioner and settle the same under 'One Time Settlement'.

Counsel for the Petitioner:MR.P.RAVI SANKAR

Counsel for the Respondents: MR.Y.N.LOHITA, SC for APSF Corporation.

The Court made the following :

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THE HONOURABLE SRI JUSTICE B. PRAKASH RAO

WRIT PETITION NO. 13543 OF 2003

ORDER:-

Heard both sides and at their request, the main writ petition itself is taken up for disposal at the stage of Interlocutory Application.

Petitioner is a loanee of the respondent Corporation and seeks a writ of Mandamus challenging the correctness of the auction notification dated 3-7-2003 in respect of item 8 (a) and (b).

Though several contentions are sought to be urged across the Bar, in view of the fact that already the auction was over, the writ petition has become infructuous. Further, the questions raised are squarely covered by the Judgment of the Apex Court reported in ***State Financial Corporation vs. Jagadamba Oil Mills***. In view of the same, I do not find any merit in this writ petition.

Accordingly, this writ petition is dismissed. However, it is open to the petitioner to approach the concerned authorities either for one time settlement scheme or such other relief as is open to her under law and on receipt of which, the respondents shall consider the same and pass necessary orders. No costs.

STV/- 19—07—2004.

To

1.The Chairman and Managing Director, chiragali lane, Abids, Hyderabad.

2. The Branch Manager, A.P.State financial Corporation, eluru branch at Narasingraopet, Eluru, W.G.District.

3. Two CD copies.